

Owners Who Lend Land to the City For Play Space Are Fully Protected

Corporation Counsel Polk Gives Opinion That Frees Such Public-Spirited Property Holders of Responsibility From Time City Assumes Control.

By Sophie Irene Loeb.
All property holders that wish to lend their aid in meeting the pressing need for more play space by opening their vacant lots to the city for use of the children may send their communications to The Evening World.

The Evening World's campaign for more playgrounds has met with the approval and co-operation of the most prominent churches, school officials, realty holders and the general public. Various vacant plots have been offered for use as playgrounds throughout the city. The Park Commissioner, Mr. Ward, thoroughly in accord with the plan of providing all available play space for the children, however did not think it wise to accept until he had the assurance of Corporation Counsel Polk that the property owners would be fully protected.

The Corporation Counsel went over the matter carefully and gave his opinion in record time. That portion of it applying to property holders frees them from responsibility in the following statement in answer to the question:

"What is the responsibility of the owner of real estate so loaned to the city for such purpose in the event of injury coming to any child admitted to these lots for the purpose of playing?"

"Under Section 630 of the Charter

POLICE TO AID PLAN FOR PLAYGROUNDS

Inspectors Will Act on Evening World's Suggestion and Find Streets for Youngsters.

Because of the slender supply of vacant lots in the lower half of Manhattan and the crowded parts of Brooklyn, Police Commissioner Woods has appointed a committee of five police inspectors to put in practice the Evening World's plan for street playgrounds. The chairman is Chief Inspector Schmittberger, and he is to be assisted by Inspectors Dillon, representing the Borough of Brooklyn; Myers, of the Traffic Squad, and Cahalane and O'Brien.

These men will make a report showing what streets in Manhattan and Brooklyn, especially those in the neighborhood of school houses, may be closed to all traffic during parts of every day and what others may advantageously be limited to "one-way traffic" so that half of the street on certain blocks will be safe for rolicking youngsters.

The Board of Education has notified Commissioner Woods that it will co-operate with him in putting into effect the Evening World suggestions, and the Borough President is informally expressed their intention to make it as easy as possible to adapt public buildings and grounds to the general scheme.

PAY FOR AQUEDUCT POLICE.

Mayor Agrees With Commissioner That Probationary Period Be Compensated.

Mayor Mitchell agrees with Police Commissioner Woods that there ought to be provision made for paying former Aqueduct police who are now serving one month in the police school for recruits preparatory to their being appointed regular members of the force. In a communication to Commissioner Woods the Mayor writes: "I thoroughly agree with you that there ought to be some provision made for paying the Aqueduct police during the period of their probation. It is possible to do so, and suggest that you take the matter up immediately with the Corporation Counsel and see whether something cannot be done. If these men are accepted for the force at the end of the probationary period it seems no more than common justice that they should be paid just as other probationary policemen are paid for the time that they serve in the school."

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(added by Chapter 563, Laws 1911) the Public Recreation Commission is given supervision and control over all grounds or properties which may be obtained by the city by loan for playground or recreational uses. Assuming that there is no defect or construction in and upon the lots in question, inherently dangerous for the purpose for which the lots are to be used, no liability would attach to the owner for an injury to a child while playing thereon.

"To obviate any possible question of liability of the land owner for conditions, acts or defects which might arise after the property is turned over to the city it might be well to have it appear by a paper—writing that in so loaning his property the owner relinquishes all control thereof so long as it is devoted to playground or recreational uses."

ATTENDANTS ONLY WHERE NECESSARY FOR SAFETY.

Corporation Counsel Polk also suggested that an attendant be maintained where there was need, stating in answer to the question:

"Will it be necessary for this de-

partment to maintain a play attendant at these plots continually, or for only a portion of the time of play?"

"I do not know that it would be necessary to maintain a play attendant at such lots at all. This might depend upon the particular circumstances of each case, such, for example, as the number of children who might at any time assemble on any particular plot so that an unrestricted use thereof by the whole number might endanger the safety of some or all of them; or, the character of the play accessories which might be inviting and at the same time dangerous to children of tender years. In such circumstances I think that some supervision should be exercised and that an attendant should be present where these conditions exist."

This opinion makes it possible for the various forces which have been co-operating in this movement to go ahead in securing all available spaces.

The Real Estate Committee, whose members are Lawrence B. Elliman, chairman; Frederick D. Callan and Albert B. Aspinorth, are earnestly co-operating in the movement, and report that in a few days they will have, in view of the above decision, many important properties to lend throughout the city.

The William Waldorf Astor estate in upper Manhattan offers several Safety First Societies, of which Ogden Mills is president, also

has the offer of several plots in various sections of Manhattan and Brooklyn.

Mr. Elliott, secretary of this society, said to-day: "Now that the legality of the movement is established, I am sure many land owners will gladly lend places suitable to the purpose for this splendid use. We believe no effort in the direction of safety first can be better than securing as much space as possible for the children where they can play during the hot weather and be kept off the street."

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